

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DISTRICT

UNITED STATES OF AMERICA,                     )  
   )  
   ) Plaintiff,                     )  
   )  
v.   ) No. 4:18CR0876 JAR (NCC)  
   )  
ASHU JOSHI,   )  
   )  
   ) Defendant.                     )

**GOVERNMENT'S RESPONSE TO DEFENDANT'S MOTION FOR RETURN OF  
PROPERTY**

Comes now the United States of America, by and through its attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Colleen Lang, Assistant United States Attorney for said district, and files its Response to Defendant's Motion for Return of Property.

**I. INTRODUCTION AND BACKGROUND INFORMATION.**

The defendant has filed a motion to return several pieces of property that were seized by the government. The government believes this motion is pre-mature because many of these items are computer devices or trial exhibits. The defendant is not permitted to possess computer devices that are not otherwise approved by Magistrate Judge Noce and the Pre-Trial office. See Doc. # 46 – “no internet or computer access” and Doc. #60 “internet access for work purposes only.” Further, the materials needed for trial cannot be returned until after trial. The government wants to have the actual items in court for the jury to inspect and compare to the criminal child pornography photographs, not just pictures of these items. The actual items are the best evidence. The government will respond to the defendant's list of property as follows:

1. Watch- Rolex Daytona – needed for trial exhibit, matches watch in picture of child pornography.
2. 3 rings – needed for trial as exhibit.
3. Silver necklaces – needed for trial as exhibit.
4. AS Canon Digital Camcorder - prohibited by Court Order, see Doc. #46 and #60.
5. Sony videocassette – this can probably be returned. The government needs to make sure it was reviewed.
6. Dell Desktop Computer Tower – prohibited by Court Order, see Doc. #46 and #60.
7. HP Desktop Computer Tower - prohibited by Court Order, see Doc. #46 and #60.
8. (2) Discs and another set of 4 discs – prohibited by Court Order, see Doc. #46 and #60.
9. Hyzaar Thumb Drive - prohibited by Court Order, see Doc. #46 and #60.
10. Seagate 1TB External Hard Drive – prohibited by Court Order, see Doc. #46 and #60.
11. Apple Iphone 6 - prohibited by Court Order, see Doc. #46 and #60.
12. Apple Macbook Pro – prohibited by Court Order, see Doc. #46 and #60.
13. Acer Aspire Laptop - prohibited by Court Order, see Doc. #46 and #60.
14. HTC Cell phone - prohibited by Court Order, see Doc. #46 and #60.
15. HTC Cell phone - prohibited by Court Order, see Doc. #46 and #60.
16. Samsung Galaxy Cell phone - prohibited by Court Order, see Doc. #46 and #60.
17. Canon Digital Camera - prohibited by Court Order, see Doc. #46 and #60.
18. iPhone A - prohibited by Court Order, see Doc. #46 and #60.
19. iPhone A - prohibited by Court Order, see Doc. #46 and #60.
20. Cruzar Thumb Drive - prohibited by Court Order, see Doc. #46 and #60.

21. iPhone X - prohibited by Court Order, see Doc. #46 and #60.

The defendant can file an appropriate Federal Rule Crim. Pro. 41(g) motion at the conclusion of the case and the property that can be returned, will be returned.

#### **IV. CONCLUSION**

Based on the foregoing reasons, the Government respectfully requests that the Court deny the Defendant's Motions to Return Property.

Respectfully submitted,

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United States Attorney

*s/ Colleen C. Lang*  
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#### **CERTIFICATE OF SERVICE**

I hereby certify that on November 18, 2019, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all counsel of record.

*s/ Colleen C. Lang*  
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